SINGLE BENCH

(1-A)

(5)

CF/2002

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P.(S) NO. /2006

PETITIONERS

1. Bhoj Ram Dhruv, aged about 48 years, S/o. Anandi, R/o. Village & Post Vatgan, Tehsil Palari, R/o. District Raipur (C.G.)
2. Chhedu Chandrakar, S/o.Peelu, R/o. Village & Post Vatgan, Tehsil Palari, District Raipur(C.G.)
3. Baldev Verma, S/o.Gendu, Village & Post Vatgan, Tehsil Palari, District Raipur (C.G.)
4. Dev Charan Dhruw, S/o. Samaru, R/o. Village & Post Vatgan, Tehsil Palari, District Raipur (C.G.)
5. Nanku Sahu, S/o. Mahesh, R/o. Village Ghotiya, Post Kosami, Tehsil Palari, District Raipur (C.G.)
6. Mohit Ram, S/o. Lagnu Ram, R/o. Vill.& Post Amera, Tehsil Baloda Bazar, District Raipur (C.G.)
7. Jai Singh Rajput, S/o. Rati Ram, R/o. Village Tamari, Post Bhavanipur, Tehsil Palari, District Raipur(C.G.)
8. Kripalu Sahu, S/o. Daya Ram, R/o. Village & Post Palari, District Raipur (C.G.)
9. Chait Ram Devangan, S/o. Kamlu, R/o. Village & Post Palari, District Raipur (C.G.)
10. Prem Lal Devangan, S/o. Shiv Dayal, R/o. Village & Post Palari, District Raipur (C.G.)
11. Gyanik Sen, S/o. Churu, R/o. Village & Post Palari, District Raipur (C.G.)
12. Prabhoo Ram Sen, S/o. Bhagvat, R/o. Village & Post Balodi, Tehsil Palari, District Raipur (C.G.)

VERSUS

RESPONDENTS

1. State of Chhattisgarh, Through Secretary, Public Works Department, Mantralaya, D.K.S. Bhavan, Raipur (C.G.)

P.F. No. 5732/06
Presented by Sunil Sharma
dated 12/10/06

VED-COPY
12/10/06
CLERK to A. G. BILASPUR

(6)

2. Secretary of Finance,
D.K.S. Bhavan, Mantralaya.
Raipur (C.G.)

3. Sub Divisional Officer,
Public Work Department,
Baloda Bazar, District Raipur(C.G.)

WRIT PETITIONER UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF A WRIT IN THE NATURE OF MANDAMUS, PROHIBITION, CERTIORARI ETC. OR ANY OTHER DIRECTION OR ORDER TO DO JUSTICE IN THE MATTER

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(43)

मामला क्रमांक ..... सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	12-02-2007 **Mr. Sunil Otwani, Advocate for the petitioner(s).** **Mrs. Anju Ahuja, Deputy Government Advocate for the respondents/State.** With the consent of learned counsel appearing for the parties, the matters are heard finally and disposed of. Common order dictated in Writ Petition (S.) No. 5687 of 2006 in open Court passed separately. A copy of this order be placed on the record of the connected writ petitions. **Sd/-** **Satish K. Agnihotri** **Judge**	

Subhash

P.T.O.

(44)

HIGH COURT OF CHHATTISGARH AT BILASPUR

W. P.(S) No. 5687 of 2006

Petitioners : Ghasiya Ram Mehar and others

Versus

Respondents : State of Chhattisgarh and others

W. P.(S) No. 5688 of 2006

Petitioners : Peela Ram and others

Versus

Respondents : State of Chhattisgarh and others

W. P.(S) No. 5689 of 2006

Petitioners : Keju Ram Verma and others

Versus

Respondents : State of Chhattisgarh and others

W. P.(S) No. 5690 of 2006

Petitioners : Bhagat Ram Sahu and others

Versus

Respondents : State of Chhattisgarh and others

W. P.(S) No. 5691 of 2006

Petitioners : Keju Ram Patel and others

Versus

Respondents : State of Chhattisgarh and others

W. P.(S) No. 5708 of 2006

Petitioners : Bhoj Ram Dhruv and others

Versus

Respondents : State of Chhattisgarh and others

And

W. P.(S) No. 5710 of 2006

Petitioners : Ram Nath Dhruw and others

Versus

Respondents : State of Chhattisgarh and others

(45)

SB: Hon'ble Mr. Justice Satish K. Agnihotri, J

Present: Mr. Sunil Otwani, Advocate for the petitioner(s).
Mrs. Anju Ahuja, Deputy Government Advocate for the respondents/State.

ORDER

(Passed on this 12th Day of February, 2007)

1. The petitioners were appointed as Gangmen in the Public Works Department. After completion of 15 years, they became permanent Gangmen employees as defined under Rule 2(c) of the Chhattisgarh (Workcharged and Contingency Paid Employees) Pension Rules, 1979 framed under Article 309 of the Constitution of India.

2. The issues involved in the present petitions are asto whether workmen, being class IV employees, are entitled to retire on attaining the age of 60 years or 62 years on superannuation. This very issue was under consideration in the matter of Govind Vs. State of Chhattisgarh and others (W.P. No. 108 of 2005), which has been decided by this Court on 4.1.2007, wherein this court held that the permanent gangmen are entitled to retire on attaining the age of 62 years in accordance with the Chhattisgarh Shaskiya Sevak (Adhivarshiki-Ayu) Adhiniyam, 1967 read with Fundamental Rule (for short 'F.R.')56.

(46)

3. Learned counsel appearing for the petitioners does not press for any salary and difference of wages with retrospective effect.

4. In view of the foregoing, learned counsel appearing for both the parties jointly submit that the facts and question of law involved in the present writ petition are squarely covered by the decision of this Court in Govind Vs. State of Chhattisgarh and others (supra). Accordingly, the writ petitions are allowed in the same terms and conditions. No order as to costs.

5. A copy of this order be placed on record in connected writ petitions.

Sd/-
Satish K. Agnihotri
Judge

Subhash